

# SENATE JOURNAL

EIGHTIETH LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

## PROCEEDINGS

### FORTY-NINTH DAY

(Thursday, April 26, 2007)

The Senate met at 11:10 a.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Averitt, Brimer, Carona, Deuell, Duncan, Ellis, Eltife, Estes, Fraser, Gallegos, Harris, Hegar, Hinojosa, Jackson, Janek, Lucio, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Shapleigh, Uresti, Van de Putte, Watson, Wentworth, Whitmire, Williams, Zaffirini.

Absent-excused: West.

The President announced that a quorum of the Senate was present.

The Reverend Jeff Hackleman, Family Faith Church, Huntsville, offered the invocation as follows:

Lord, today we bring before You this nation, the greatest in the history of mankind and, specifically, the great State of Texas. We ask that Your plans, Your purposes, and Your will be done so that Your blessings can continue to freely flow to the people of this state. I ask You to bless the men and women who represent us in this sacred place, bless their families, their business and domestic life. We pray that You would give the political and spiritual leaders of this state the wisdom to make the right decisions and the courage to make those plans a reality. Help us to leave a lasting legacy and the same solid foundations our forefathers left us to future generations. Help us to make all the right decisions for all the right reasons, and through Your grace, may we continue to build one nation under God, indivisible, with liberty and justice for all. Amen.

Senator Whitmire moved that the reading of the Journal of the proceedings of yesterday be dispensed with and the Journal be approved as printed.

The motion prevailed without objection.

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**LEAVE OF ABSENCE**

On motion of Senator Whitmire, Senator West was granted leave of absence for today on account of important business.

**CO-AUTHOR OF SENATE BILL 127**

On motion of Senator Shapleigh, Senator Hinojosa will be shown as Co-author of **SB 127**.

**CO-AUTHOR OF SENATE BILL 280**

On motion of Senator Gallegos, Senator Janek will be shown as Co-author of **SB 280**.

**CO-AUTHORS OF SENATE BILL 1098**

On motion of Senator Patrick, Senators Nelson and Uresti will be shown as Co-authors of **SB 1098**.

**CO-AUTHOR OF SENATE BILL 1170**

On motion of Senator Hinojosa, Senator Ellis will be shown as Co-author of **SB 1170**.

**CO-AUTHOR OF SENATE BILL 1392**

On motion of Senator Uresti, Senator Zaffirini will be shown as Co-author of **SB 1392**.

**CO-AUTHOR OF SENATE BILL 1348**

On motion of Senator Patrick, Senator Uresti will be shown as Co-author of **SB 1348**.

**CO-AUTHOR OF SENATE BILL 1615**

On motion of Senator Averitt, Senator Duncan will be shown as Co-author of **SB 1615**.

**CO-AUTHOR OF SENATE BILL 1788**

On motion of Senator Shapiro, Senator Patrick will be shown as Co-author of **SB 1788**.

**CO-AUTHOR OF SENATE BILL 1855**

On motion of Senator Gallegos, Senator Whitmire will be shown as Co-author of **SB 1855**.

**CO-AUTHOR OF SENATE CONCURRENT RESOLUTION 49**

On motion of Senator Ellis, Senator Whitmire will be shown as Co-author of **SCR 49**.

**CO-AUTHOR OF SENATE RESOLUTION 888**

On motion of Senator Harris, Senator Nelson will be shown as Co-author of **SR 888**.

**CO-SPONSOR OF HOUSE BILL 416**

On motion of Senator Watson, Senator Deuell will be shown as Co-sponsor of **HB 416**.

Thursday, April 26, 2007

SENATE JOURNAL

1371

Austin, Texas  
April 25, 2007

TO THE SENATE OF THE EIGHTIETH LEGISLATURE, REGULAR SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

To be members of the Texas Optometry Board for terms to expire January 31, 2013:

Melvin G. Cleveland, Jr., O.D.

Arlington, Texas

(replacing Fred Farias of McAllen whose term expired)

Virginia Sosa, O.D.

Uvalde, Texas

(replacing Sharon Johnson of Arlington whose term expired)

To be the Pecos River Compact Commissioner for a term to expire January 23, 2011:

Julian W. Thrasher, Jr.

Monahans, Texas

(Mr. Thrasher is being reappointed)

To be members of the Credit Union Commission for terms to expire February 15, 2013:

Allyson Truax Morrow

San Benito, Texas

(replacing Rufino Carbajal of El Paso whose term expired)

Dale E. Kimble

Denton, Texas

(Reappointment)

Thomas Felton Butler

Deer Park, Texas

(Reappointment)

To be members of the Texas State Affordable Housing Corporation Board of Directors for terms to expire February 1, 2013:

Jo Van Hovel

Temple, Texas

Thomas A. Leeper

Huntsville, Texas

(Ms. Hovel and Mr. Leeper are being reappointed)

Respectfully submitted,

/s/Rick Perry

Governor

**SENATE RULE 11.13 SUSPENDED**  
**(Consideration of Bills in Committees)**

On motion of Senator Brimer and by unanimous consent, Senate Rule 11.13 was suspended to grant all committees permission to meet while the Senate was meeting today.

**SENATE RULES SUSPENDED  
(Posting Rules)**

On motion of Senator Carona and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Transportation and Homeland Security might meet and consider the following bills and resolution today: **SB 154, SB 1929, HCR 173.**

**SENATE RULES SUSPENDED  
(Posting Rules)**

On motion of Senator Hegar and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Natural Resources might meet and consider the following bills tomorrow:

**SB 1341, SB 1985, SB 2007, SB 2038.**

**MOTION TO ADJOURN**

On motion of Senator Whitmire and by unanimous consent, the Senate at 4:13 p.m. agreed to adjourn, in memory of Corporal Ray Michael Bevel of Andrews, the Honorable Billy Wayne Clayton, the Honorable R. Temple Dickson III, the Honorable Henry C. Grover, the Honorable Frank L. Madla, Jr., the Honorable James Kuykendall Wade, and the Honorable Doyle Henry Willis, Sr., upon completion of the introduction of bills and resolutions on first reading, until 10:00 a.m. tomorrow.

**HOUSE BILLS AND RESOLUTIONS ON FIRST READING**

The following bills and resolutions received from the House were read first time and referred to the committees indicated:

**HB 56** to Committee on Health and Human Services.  
**HB 100** to Committee on Transportation and Homeland Security.  
**HB 120** to Subcommittee on Higher Education.  
**HB 142** to Committee on Finance.  
**HB 185** to Committee on Criminal Justice.  
**HB 198** to Committee on Criminal Justice.  
**HB 210** to Committee on Transportation and Homeland Security.  
**HB 218** to Committee on State Affairs.  
**HB 264** to Committee on Finance.  
**HB 273** to Committee on Education.  
**HB 371** to Committee on Criminal Justice.  
**HB 563** to Committee on Transportation and Homeland Security.  
**HB 588** to Committee on Transportation and Homeland Security.  
**HB 589** to Subcommittee on Higher Education.  
**HB 681** to Committee on Criminal Justice.  
**HB 730** to Committee on Intergovernmental Relations.  
**HB 818** to Committee on Jurisprudence.  
**HB 892** to Committee on Intergovernmental Relations.  
**HB 914** to Committee on Criminal Justice.  
**HB 948** to Committee on Health and Human Services.  
**HB 1022** to Committee on Finance.

Thursday, April 26, 2007

SENATE JOURNAL

1373

**HB 1052** to Committee on Transportation and Homeland Security.  
**HB 1216** to Committee on Intergovernmental Relations.  
**HB 1230** to Committee on Health and Human Services.  
**HB 1331** to Committee on Jurisprudence.  
**HB 1373** to Committee on Health and Human Services.  
**HB 1420** to Committee on Transportation and Homeland Security.  
**HB 1471** to Committee on Transportation and Homeland Security.  
**HB 1522** to Committee on Transportation and Homeland Security.  
**HB 1590** to Committee on State Affairs.  
**HB 1623** to Committee on Transportation and Homeland Security.  
**HB 1652** to Committee on State Affairs.  
**HB 1667** to Committee on Business and Commerce.  
**HB 1668** to Committee on Finance.  
**HB 1694** to Committee on Intergovernmental Relations.  
**HB 1739** to Committee on Health and Human Services.  
**HB 1768** to Committee on Intergovernmental Relations.  
**HB 1837** to Committee on Finance.  
**HB 1844** to Committee on Education.  
**HB 1929** to Committee on Finance.  
**HB 1930** to Committee on Jurisprudence.  
**HB 1962** to Committee on Business and Commerce.  
**HB 1973** to Committee on Health and Human Services.  
**HB 2066** to Committee on Criminal Justice.  
**HB 2267** to Committee on Criminal Justice.  
**HB 2398** to Committee on Veteran Affairs and Military Installations.  
**HB 2400** to Committee on State Affairs.  
**HB 2427** to Committee on Government Organization.  
**HB 2458** to Committee on Government Organization.  
**HB 2484** to Committee on Intergovernmental Relations.  
**HB 2503** to Committee on Education.  
**HB 2514** to Committee on Intergovernmental Relations.  
**HB 2590** to Committee on Transportation and Homeland Security.  
**HB 2708** to Committee on Business and Commerce.  
**HB 2931** to Committee on Natural Resources.  
**HB 3089** to Committee on Transportation and Homeland Security.  
**HB 3189** to Committee on Finance.  
**HB 3295** to Committee on Criminal Justice.  
**HB 3392** to Committee on State Affairs.  
**HB 3718** to Committee on Transportation and Homeland Security.  
**HB 3787** to Committee on Veteran Affairs and Military Installations.  
**HB 3972** to Committee on Jurisprudence.  
**HJR 54** to Committee on Finance.  
**HCR 70** to Committee on Administration.  
**HCR 159** to Committee on Education.

## RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

### Memorial Resolutions

**SR 886** by Seliger, In memory of Corporal Ray Michael Bevel of Andrews.

**SR 890** by Uresti, In memory of Guillermo "Willie" R. Serrano.

### Congratulatory Resolutions

**SCR 63** by Fraser, Congratulating the Brady High School Family, Career, and Community Leaders of America Parliamentary Procedure team for earning a gold medal ranking.

**SR 879** by Gallegos, Recognizing Nadine Kujawa on the occasion of her retirement from the Aldine Independent School District.

**SR 880** by Gallegos, Recognizing the Houston Hispanic Chamber of Commerce on the occasion of its 30th anniversary.

**SR 881** by Gallegos, Recognizing Vanessa Salgado for winning the Nestle Pure Life bottled water essay contest.

**SR 887** by Harris, Congratulating the drumline of Flower Mound High School in Flower Mound for winning a national championship.

**SR 888** by Harris, Congratulating the marching band of Marcus High School for winning a state championship.

**SR 889** by Nichols, Recognizing W. L. "Blackie" Bilnoski on the occasion of his retirement from the Willis City Council.

### ADJOURNMENT

Pursuant to a previously adopted motion, the Senate at 4:18 p.m. adjourned, in memory of Corporal Ray Michael Bevel of Andrews, the Honorable Billy Wayne Clayton, the Honorable R. Temple Dickson III, the Honorable Henry C. Grover, the Honorable Frank L. Madla, Jr., the Honorable James Kuykendall Wade, and the Honorable Doyle Henry Willis, Sr., until 10:00 a.m. tomorrow.

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## APPENDIX

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## COMMITTEE REPORTS

The following committee reports were received by the Secretary of the Senate in the order listed:

April 26, 2007

NATURAL RESOURCES — CSSB 1950